

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

_____	)	
UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	CIVIL NO. 04-12587-JLT
	)	
v.	)	
	)	TOWN OF MASHPEE TRACT NO.
	)	A-189-E
16.086 ACRES OF LAND, MORE OR	)	
LESS, SITUATE IN BARNSTABLE	)	
COUNTY, COMMONWEALTH OF	)	
MASSACHUSETTS, AND EDWIN	)	
ALFRED THOMPSON, MIGNON F.	)	
THOMPSON, AND TONII C.T. DEAN,	)	
	)	
Defendants.	)	
_____	)	

**GOVERNMENT'S MOTION FOR SUPPLEMENTAL ORDER AS TO INTEREST**

The government requests an Order from the Court directing the Clerk, United States District Court, to distribute the interest accrued on the government's payment for the parcel of land that is the subject of this case, to the individuals who held an ownership interest.

The government deposited \$78,000 into the Registry of the Court when the Declaration of Taking was filed on December 20, 2004. At that time, the Clerk deposited the money into an interest-bearing bank account. On August 14, 2006, this Court ordered the distribution of the \$78,000 to the individuals with an ownership interest in the land. However, the government did not request that the Court also order distribution of the

accrued interest. This Motion now requests that the Court issue a supplemental order requiring the Clerk to distribute the accrued interest to the individuals, in the same proportion as their ownership interest in the land. A proposed Order is attached hereto.

The individuals who hold an ownership interest in the land have never filed an appearance or otherwise appeared in this action.

Respectfully submitted,

MICHAEL J. SULLIVAN  
UNITED STATES ATTORNEY

By: /s/ Anita Johnson

Anita Johnson  
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Of counsel:

Julie A. D'Esposito  
Assistant District Counsel  
U.S. Army Corps of Engineers  
696 Virginia Road  
Concord, MA 01742

**Certificate of Service**

I hereby certify that I have served the foregoing upon Defendants Edwin Alfred Thompson, 154 Tonawanda Drive, S.E., Atlanta, Georgia 30315, Mignon F. Thompson, 7115 Bigwoods Drive at Huntgate Road, Woodstock GA 30188, and Tonii C.T. Dean, 421 Lakemont Drive, # 5E, College Park, Georgia 30337, and upon counsel for Barnstable County, Robert S. Troy, 90 Route 6A, Sandwich, MA 02563, and counsel for the Town of Mashpee, Patrick J. Costello, 67 Batterymarch St., Boston, MA 02110, by first class mail, postage prepaid, on this 23d day of August 2006.

/s/ Anita Johnson

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THOMPSON, AND TONII C.T. DEAN,	)	
	)	
Defendants.	)	
_____	)	

**SUPPLEMENTAL ORDER AS TO INTEREST**

It is hereby ordered that the Clerk, United States District Court, distribute the interest accrued on the \$78,000 deposited with the Court by the government to the individuals with an ownership interest in the parcel of land that is the subject of this action, in the same proportion as is set forth in this Court's Order of August 14, 2006, namely, 50% of the interest to Edward Alfred Thompson, 25% of the interest to Tonii C.T. Dean, and 25% to Mignon F. Thompson.

On this \_\_\_\_\_ day of August, 2006.

\_\_\_\_\_  
JOSEPH L. TAURO  
United States District Court Judge